

REMARKS

This Amendment is responsive to the Official Action dated March 23, 2005. Claims 1-61 were pending in the application. In the Official Action, claims 35-46, 53-56, 59 and 61 were withdrawn from consideration, and claims 1-34, 47-52, 57, 58 and 60 were rejected. In this Amendment, claims 1, 7, 13, 24, 47, 50, 57, 58 and 60 have been amended. Claims 1-34, 47-52, 57, 58 and 60 thus remain for consideration.

Applicant submits that claims 1-34, 47-52, 57, 58 and 60 are in condition for allowance and requests withdrawal of the rejections in light of the following remarks.

Priority

The Examiner asserts that Applicant has not filed a certified copy of Japanese application P2001-092619 as required by 35 U.S.C. §119(b).

Applicant submits that a certified copy of Japanese application P2001-092619 was filed as part of a Claim for Priority and Submission of Documents that was mailed on November 6, 2001. Enclosed herewith are a copy of the Claim for Priority and Submission of Documents. Also enclosed is a copy of the returned postcard bearing the PTO stamp acknowledging receipt of the Claim for Priority and Submission of Documents. Notably, the postcard acknowledges receipt of a certified copy of each of the three Japanese applications on which the foreign priority

claim is based, namely P2000-120474, P2000-165744, and P2001-092619. Accordingly, Applicant requests that the Examiner acknowledge that a certified copy of Japanese application P2001-092619 has been filed.

Drawings

The objection to the drawings is noted and corrected in accordance with the replacement drawing sheet accompanying this Amendment.

Applicant has provided a replacement drawing sheet including Figs. 3A-3D for the corresponding previously filed drawing sheet. The replacement sheet amends Figs. 3A-3D by inserting descriptive labels for each of the figures.

Accordingly, Applicant submits that the drawings are now in compliance with all formality requirements, and requests that the objection to the drawings be withdrawn.

Specification

The disclosure was objected to because of informalities.

Applicant has amended the disclosure to correct for such informalities and submits that the disclosure is now in compliance with all formality requirements.

§102 and §103 Rejections

Claims 1-5, 7-11, 13, 14, 16-25, 27-34, 47-52, 57, 58 and 60 were rejected under 35 U.S.C. §102(e) as being anticipated by Shur U.S. Patent No. 6,330,672).

Claims 6 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shur as applied to claims 1 and 7, and further in view of Saito (U.S. Patent No. 6,741,991) and Kubota et al. (U.S. Patent No. 5,721,778).

Claims 15 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shur as applied to claims 13 and 24, and further in view of Saito.

Applicant submits that independent claims 1, 7, 13, 24, 47, 50, 57, 58 and 60 are patentable over Shur, Saito and Kubota.

Each of claims 1, 7, 13, 24, 47, 50, 57, 58 and 60 recites that “[a] digital watermark is embedded into [] content according to insertion information such that the digital watermark can be removed from the content by using the insertion information and the digital watermark.” Supporting disclosure for such recitation can be found in the specification at, for example, page 24, line 15 – page 32, line 1.

Neither Shur, Saito nor Kubota discloses embedding a digital watermark into content according to insertion information such that the digital watermark can be removed from the content by using the insertion information and the digital

watermark. Accordingly, Applicant believes that claims 1, 7, 13, 24, 47, 50, 57, 58 and 60 are patentable over Shur, Saito and Kubota - taken either alone or in combination - on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, Applicant believes that dependent claims 2-6, 8-12, 14-23, 25-34, 48, 49, 51 and 52 are patentable over Shur, Saito and Kubota for at least the same reasons as discussed in connection with claims 1, 7, 13, 24, 47, 50, 57, 58 and 60.

As it is believed that all of the rejections set forth in the Official Action have been fully addressed, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to discuss any additional objections which he/she might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

The Examiner's consideration of this matter is
gratefully acknowledged.

Dated: September 23, 2005

Respectfully submitted,

By 
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PLEASE ACKNOWLEDGE RECEIPT
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Atty Docket No.: SONYJP 3.0-156

Due Date:

Title: INFORMATION EMBEDDING APPARATUS AND METHOD,
INFORMATION PROCESSING APPARATUS AND METHOD, CONTENT
PROCESSING APPARATUS AND METHOD, MONITORING APPARATUS
AND METHOD, AND STORAGE MEDIA

Application No.: 09/837,412

Documents Filed:

CLAIM FOR PRIORITY AND SUBMISSION OF DOCUMENTS (2 pages)

Original (3) P2000-120474, 2000-165744, 2001-092619

Return Postcard



Sender's Initials: RBC/sdg

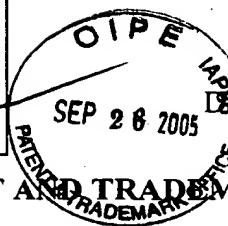
Mailing Date: November 6, 2001

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: November 6, 2001

Signature:

(Robert B. Cohen)



Doct No.: SONYJP 3.0-156

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jun Hirai

Application No.: 09/837,412

Group Art Unit: 2131

Filed: April 18, 2001

Examiner: Not Yet Assigned

For: INFORMATION EMBEDDING APPARATUS
AND METHOD, INFORMATION PROC
ESSING APPARATUS AND METHOD,
CONTENT PROCESSING APPARATUS AND
METHOD, MONITOR ING APPARATUS AND
METHOD, AND STORAGE MEDIA

CLAIM FOR PRIORITY AND SUBMISSION OF DOCUMENTS

Commissioner for Patents
Washington, DC 20231

Dear Sir:

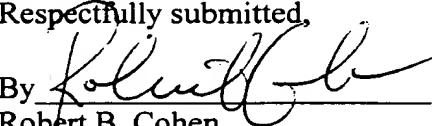
Applicant hereby claims priority under 35 U.S.C. 119 based on the following prior foreign applications filed in the following foreign countries on the dates indicated:

Country	Application No.	Date
Japan	P2000-120474	April 21, 2000
Japan	P2000-165744	June 02, 2000
Japan	P2001-092619	March 28, 2001

In support of this claim, certified copies of the original foreign applications are filed herewith.

Dated: November 6, 2001

Respectfully submitted,

By 
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001P06030500

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PATENT OFFICE
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る事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed
this Office.

出願年月日
Date of Application:

2000年 4月21日

出願番号
Application Number:

特願2000-120474

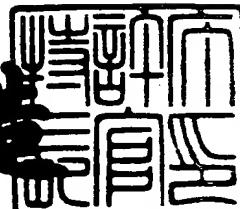
出願人
Applicant(s):

ソニー株式会社

2001年 3月 9日

特許庁長官
Commissioner,
Patent Office

及川耕造



出証番号 出証特2001-3016432

S01P0603US00

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出願年月日
Date of Application:

2000年 6月 2日

出願番号
Application Number:

特願2000-165744

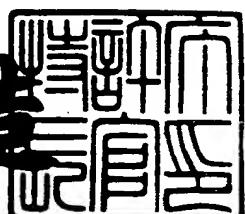
出願人
Applicant(s):

ソニー株式会社

2001年 3月 9日

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出証番号 出証特2001-3016460

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出願年月日
Date of Application:

2001年 3月28日

出願番号
Application Number:

特願2001-092619

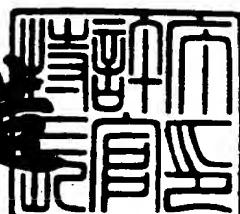
出願人
Applicant(s):

ソニー株式会社

2001年 5月11日

特許庁長官
Commissioner,
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出証番号 出証特2001-3039901

01P06030500

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in this Office.

出願年月日
Date of Application:

2000年 4月 21日

出願番号
Application Number:

特願2000-120474

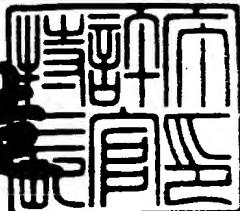
出願人
Applicant(s):

ソニー株式会社

2001年 3月 9日

特許庁長官
Commissioner,
Patent Office

及川耕造



出証番号 出証特2001-3016432